

MINUTES

BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY REGULAR MEETING

May 7, 2007

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, May 7, 2007, at 2:00 p.m. Commissioners Bob Beerbower, Al Carter and Mike Wilson were present. Jim Baker, Senior Deputy Prosecuting Attorney was present. Also in attendance was Donna Caton, Clerk of the Board.

CALL TO ORDER AND FLAG SALUTE

Chairman Carter called the meeting to order with the pledge of allegiance.

MINUTES

April 30, 2007: A motion was made, seconded and passed to approve the minutes of the regular meeting of April 30, 2007.

BIDS

None

HEARINGS

None

PRESENTATIONS

1. Paul Easter for Certificate of Good Practice: Paul Easter presented a Certificate of Good Practice that was approved by resolution of the County Road Administration Board at its meeting on April 19, 2007. A Certificate of Good Practice has been transmitted to the State Treasurer on behalf of Grays Harbor County pursuant to the authority contained in RCW 36.78.090. This action by the County Road Administration Board will assure the continued distribution of the monthly state gas tax allotment from the Office of the State Treasurer. Mr. Easter introduced Grays Harbor County Engineering staff members.

PROCLAMATION

1. May 2007 as Older Americans Month: A motion was made, seconded and

passed to approve a proclamation proclaiming the month of May as Older Americans Month in Grays Harbor County and urging all citizens to honor older adults, and those who care for them during May and throughout the year.

COMMISSIONERS

1. **Approve Contract for 2007 County Printing of Official Publications:** Grays Harbor County, pursuant to the bidding process of RCW 36.72, called for bids for Official Publications of the County. Bids were opened on April 23, 2007, with *The Montesano Vidette* submitting the only bid proposal and it met specifications. By approving the contract, the Commissioners declare *The Montesano Vidette* the Official Newspaper for the purpose of official publications for the period July 1, 2007 through June 30, 2008. The contract represents an increase of less than five percent. A motion was made, seconded and passed to approve the Contract for 2007 County Printing of Official Publications as described.

2. **Approve Contract for Mediation Services:** A motion was made, seconded and passed to approve a Contract for Dispute Resolution Services. Renewal of the agreement for the Mediation and Settlement Center with the new provision providing for compensation for the mandatory mediation of small claims cases arising in Grays Harbor County District Court will go into effect July 1, 2007.

The Clerk of the Board announced the following item received after the agenda was prepared:

3. **Set Hearing Date to Amend Ordinance 357 – Wildcat Aquifer Moratorium:** May 21, 2007 at 2:00 p.m. is the date and time set for a public hearing to consider amendment to Ordinance 357 – Wildcat Aquifer Moratorium.

DEPARTMENTS

AUDITOR

1. **Request Approval, Surplus Inventory:** A motion was made, seconded and passed to approve a request to declare items surplus that are no longer being used when the department switched from voting at poll-sites to vote-by-mail several years ago. The request was that the items be declared surplus and turned over to the Treasurer for sale or disposal in accordance with county policy.

2. **Request Approval, April Expenditures:** A motion was made, seconded and passed to approve expenditures for April 2007 as follows: Claims \$3,496,917.29 Salary \$2,242,615.72 for a total of \$5,739,533.01.

FORESTRY

1. Request Approval, Accept Contract as Complete and Release Performance Bond – North River No. 3 Timber Sale: Sierra Pacific Industries has satisfactorily completed all the terms and conditions of the contract for the North River No. 3 timber sale. The Department recommended that the County accept the contract as complete and release the performance bond as posted by Sierra Pacific Industries for this sale. A motion was made, seconded and passed to accept the contract as complete and release the performance bond as described.

2. Request Approval, Timber Sales to be Held at Public Auction: June 5, 2007 at 10:00 a.m. is the date and time set for the following timber sales to be held at Public Auction:

<u>Sale Name</u>	<u>Acres</u>	<u>Estimated Volume</u>	<u>Estimated Value</u>
Donkey Creek No. 1	62	3399 MBF	\$880,257
E-Line No. 1	53	2652 MBF	\$634,334
<u>Lytle Creek No. 8</u>	<u>101</u>	<u>5298 MBF</u>	<u>\$1,730,840</u>
Totals	216	11349 MBF	\$3,245,431

A motion was made, seconded and passed to authorize the Treasurer to advertise and sell the listed sales as described.

MANAGEMENT SERVICES

1. Request Approval, Grant Close-Out Report – CDBG Public Services: A motion was made, seconded and passed to approve the Washington State Department of Community, Trade and Economic Development Close-Out Report for the CDBG Public Services Grant. This will close out the 2006 \$175,069 pass through grant with Coastal Community Action Program which provided programs in employment, nutrition, linkages and health for low and moderate income persons within Grays Harbor and Pacific Counties.

2. Request Approval, ORV Park Use Agreement – Seattle Motorcycle Club: A motion was made, seconded and passed to approve two copies of an ORV Park Use Agreement for Seattle Motorcycle Club for the dates of May 12th and August 26, 2007. Seattle Motorcycle Club will operate scheduled events providing Grays Harbor County with insurance and 50% of the gate fees.

PUBLIC HEALTH AND SOCIAL SERVICES

1. **Request Approval, Amend Contract with Behavioral Health Resources:** A motion was made, seconded and passed to approve an amendment to the County's contract with Behavioral Health Resources (BHR). The BHR amendment provides for additional funding for services to non-Medicaid clients.
2. **Request Approval, Amend Contract with Evergreen Counseling Center:** A motion was made, seconded and passed to approve an amendment to the County's contract with Evergreen Counseling Center (ECC). The ECC amendment adjusts the hourly rate for services to allow funding for the entire contract period.
3. **Request Approval, Agreement with DSHS:** A motion was made, seconded and passed to approve an Agreement between the State DSHS and the County. This agreement allows DSHS to loan the County up to two months of State grant expenditures for Developmental Disabilities, Substance Abuse and Mental Health Programs. This allows the County to pay contractors in a timely manner. The advance payment arrangement has been in effect for many years and the Agreement extends the current practice through June 30, 2008.

PUBLIC SERVICES

1. **Request Approval, Resolution Acknowledging Vacation – Requested by Patrick Walker, Property in Ocosta:** The Department received a petition from Patrick Walker to acknowledge vacation of rights of way surrounding property he owns in Ocosta. The Department found no record of these rights of way having ever been opened within the applicable time period. They have no objection to the Board acknowledging these rights of way having been automatically vacated by operation of law. A motion was made, seconded and passed to approve **Resolution No. 2007-50 – Resolution Acknowledging Vacation by Operation of Law.**
2. **Request Approval, Resolution Acknowledging Vacation – Requested by Charles Brook, Property in Ocosta:** The Department received a petition from Charles Brook to acknowledge vacation of rights of way surrounding property he owns in Ocosta. The Department found no record of these rights of way having ever been opened within the applicable time period. They have no objection to the Board acknowledging these rights of way having been automatically vacated by operation of law. A motion was made, seconded and passed to approve **Resolution No. 2007-51 – Resolution Acknowledging Vacation by Operation of Law.**

3. Request Approval, Resolution Acknowledging Vacation – Requested by the Estate of James Duree, Property in Ocosta: The Department received a petition from the Estate of James Duree to acknowledge vacation of rights of way surrounding property they own in Ocosta. This was done by Resolution 2007-32 on March 19, however one street was overlooked. The Department found no record of this right of way having ever been opened within the applicable time period. They have no objection to the Board acknowledging these rights of way having been automatically vacated by operation of law. A motion was made, seconded and passed to approve **Resolution No. 2007-52 – Resolution Acknowledging Vacation by Operation of Law.**

4. Request Approval, Emergency Support Function 11 – Agriculture and Natural Resources Plan: A motion was made, seconded and passed to approve Emergency Support Function II – Agriculture and Natural Resources. This plan is a part of the County's Comprehensive Emergency Management Plan (CEMP). It was developed and reviewed by jurisdictions and agencies within the county including but not limited to the WSU Extension Office, Environmental Health, and Public Health and Social Services. It will be reviewed and updated as needed on a regular basis. After approval the plan will be posted to the Emergency Management website and a copy will be maintained by the Washington State Emergency Management Division.

5. Request Approval, Emergency Support Function 14 – Long Term Community Recovery & Mitigation Plan: A motion was made, seconded and passed to approve Emergency Support Function 14 – Long Term Community Recovery and Mitigation. This plan is a part of the County's Comprehensive Emergency Management Plan (CEMP). It was developed and reviewed by jurisdictions and agencies within the county including but not limited to the EMPC and mayors. It will be reviewed and updated as needed on a regular basis. After approval the plan will be posted to the Emergency Management website and a copy will be maintained by the Washington State Emergency Management Division.

6. Request Approval, Emergency Support Function 15 – Public Information Plan: A motion was made, seconded and passed to approve Emergency Support Function 15 – Public Information. This plan is a part of the County's Comprehensive Emergency Management Plan (CEMP). It was developed and reviewed by jurisdictions and agencies within the county including but not limited to the EMPC and Public Information Officers. It will be reviewed and updated as needed on a regular basis. After approval the plan will be posted to the Emergency Management website and a copy will be maintained by the Washington State Emergency Management Division.

7. Request Approval, Award the 2007-2008 County Beach Approach Sand

Removal Contract: A motion was made, seconded and passed to award the 2007-2008 County Beach Approach Sand Removal Contract to the high bidders, Brumfield Construction, for Item #1, Bonge Avenue #13200, Grayland Beach #10780, & Cranberry Beach #10000; and MJR Limited for Item #2, Damon Road #2286, Second Avenue, #2522, and Second Street #93100.

8. Request Approval, Award 2007 Culvert Supply Contract: A motion was made, seconded and passed to award the entire 2007 Culvert Supply Contract to Pacific Corrugated Pipe of Oregon for the bid of \$100,576.04.

9. Request Approval, Utility Services Agreement with Seabrook Development Company: A motion was made, seconded and passed to approve an amendment to the Utility Services Agreement between the County and Seabrook Development Company. It has been reviewed and approved by the Prosecutor's Office. The agreement provides for ten (10) additional sewer connections for Seabrook subject to the terms of the original agreement, and also calls for Seabrook to continue to fund additional planning and engineering activities related to expansion of the utilities in the Pacific Beach area. To date, Seabrook has contributed \$600,000 to this project.

10. Request Approval, Apply for Funding from Dept. of Health Revolving Fund for the North Beach Regional Water System: A motion was made, seconded and passed to authorize the Utilities Director to submit an application to the Department of Health's Revolving Fund for funding to implement construction of the North Beach Regional Water System at Hogan's Corner. The loan request is approximately three million dollars (\$3,000,000) and would be repaid from system revenues.

11. Request Approval, Rural Arterial Program Project Agreements:

- a. **Wynoochee-Wishkah Road Project:** A motion was made, seconded and passed to approve a Rural Arterial Program Agreement for the Wynoochee-Wishkah Road reconstruction project. The agreement for the Wynoochee-Wishkah Road project increases State funding to \$1,440,000.
- b. **Wishkah Road Project:** A motion was made, seconded and passed to approve a Rural Arterial Program Agreement for the Wishkah Road reconstruction project. The agreement for the Wishkah Road project approves State funding of \$577,243.

ANNOUNCEMENTS

None

CORRESPONDENCE

The Clerk of the Board announced the following correspondence:

1. An e-mail dated May 3, 2007 was received from Stanley J. Trohimovich. The subject was Color of Law and Extortion. The e-mail was placed on file.
2. A correspondence was received from Washington Coast Chamber of Commerce. The request was regarding the 4th of July celebration at Ocean City, Washington. The Commissioners are notified that the following department heads are contacted to coordinate the 4th of July, Fire O'er the Water Event: the Sheriff's Department regarding traffic control; the County Public Works Department for beach clean-up on July 5th and signage; the State Patrol for directing the intersection of State Route 109 and 2nd Street before and after the event. Fire District #7 will be contacted for stand-by for emergencies.
3. A Claim for Damages (C-530-07) was received from Bonnie J. Dell, Elma, Washington. The claim was referred to the Claims Review Board.
4. A Lawsuit (L-531-07) was filed by Aloha Lumber Corporation and was referred to the Prosecuting Attorney's office.

PUBLIC COMMENT:

Chairman Carter asked for public comment. He announced that comments and statements would be accepted and limited to five minutes. Questions should be submitted in writing.

Ron Armstrong, Hoquiam, Washington commented regarding agenda items.

Stanley A. Blunt, Aberdeen, Washington submitted a document regarding contracts approved by commissioners.

There was no additional public comment.

STAFF MEETINGS

The Board held staff meetings on Monday, May 7, 2007, starting at 9:00 a.m. These staff meetings are advertised public meetings, held in the Commissioners' Conference Room. The Commissioners and Clerk of the Board reviewed calendars and pending daily office issues. The Board met with John Nemes, Mediation Center; Larry Smith and Don Smith, Forestry Department; Debbie Adolphsen, Fair and Tourism; Paul Easter of the Department of Public Services.

The Board approved the following:

RESOLUTIONS

No. 2007-50 Resolution Acknowledging Vacation by Operation of Law

No. 2007-51 Resolution Acknowledging Vacation by Operation of Law

No. 2007-52 Resolution Acknowledging Vacation by Operation of Law

ORDINANCES

None

INTERGOVERNMENTAL AGREEMENTS

None

The meeting adjourned at 2:33 p.m. to Monday, May 14, 2007 at 2:00 p.m.

BOARD OF COMMISSIONERS
For Grays Harbor County
This _____ day of _____, 2007

ALBERT A. CARTER, Chairman
Commissioner, District 3

BOB BEERBOWER, Commissioner, District 1

MIKE WILSON, Commissioner, District 2

ATTEST:

Donna Caton
Clerk of the Board